

### **REMARKS**

Applicant thanks the Examiner for his time and consideration during the telephonic interview on March 17, 2009 in relation to the above named case. During the interview the Examiner noted that claims 76-81 had improper claim identifiers. This supplemental amendment is filed to correct the claim identifiers. Consideration of this listing of the claims with the remarks filed on January 29, 2009 is requested.

Applicant asserts that there can be no motivation to consider GM-CSF anything other than an angiogenic agent to be administered directly to ischemic tissue based on the teachings of Isner. As argued in the previous response, modification of Isner to administer angiogenic agents to any location other than the site of ischemia is contrary to the teachings of the reference.

Moreover, the assertion in the Office Action that the demonstration that the action of both G-CSF and GM-CSF in an in vitro wounding assay in Bussolino does not demonstrate that the two proteins would act in the same manner in an in vivo assay. The proteins have distinct sequences and distinct functions. Moreover, Bussolino teaches that there may be a synergistic effect between FGF and G-CSF. Based on this teaching, one of skill in the art would not expect a synergistic effect between FGF and GM-CSF.

### **CONCLUSION**

In view of the foregoing, Applicants respectfully request reconsideration and withdrawal of all rejections and allowance of the application with claims 49-61, 63-66, 68-72, and 76-81 presented herein.

Dated: March 17, 2009

Respectfully submitted,

By /Colleen McKiernan/  
Colleen McKiernan, Ph.D.  
Registration No.: 48,570  
EDWARDS ANGELL PALMER & DODGE  
LLP  
P.O. Box 55874  
Boston, Massachusetts 02205  
(617) 517-5555  
Attorneys/Agents For Applicant